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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Hasan **Abulhasan** (Kuwait)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2011, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-sixth session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 19th, 20th and 23rd meetings, on 31 October and on 1 and 10 November 2011. The Committee held a general debate on the item at its 19th and 20th meetings and took action on the item at its 23rd meeting (see A/C.4/66/SR.19, 20 and 23).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/66/13 and Add.1);

(b) Report of the Secretary-General on persons displaced as a result of the June 1967 and subsequent hostilities (A/66/222);

(c) Report of the Secretary-General on Palestine refugees' properties and their revenues (A/66/318);

(d) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/66/520);

(e) Note by the Secretary-General transmitting the sixty-fifth report of the United Nations Conciliation Commission for Palestine (A/66/296).

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4. At its 19th meeting, on 31 October, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who introduced his report (see A/C.4/66/SR.19).

5. At the same meeting, the representative of the Permanent Observer Mission of Palestine to the United Nations made a statement (see A/C.4/66/SR.19).

6. Also at the same meeting, the representative of Norway, in his capacity as Rapporteur of the Working Group on the Financing of UNRWA, made a statement (see A/C.4/66/SR.19).

II. Consideration of proposals

7. At the 23rd meeting, on 10 November, the Chair stated that she had been informed by the Secretariat that the draft resolutions contained in documents A/C.4/66/L.9-12 had no programme budget implications.

A. Draft resolution A/C.4/66/L.9

8. At the 23rd meeting, on 10 November, the representative of Indonesia, on behalf of Algeria, Austria, Bahrain, Bangladesh, Belgium, Bulgaria, the Comoros, Croatia, Cuba, Cyprus, the Czech Republic, the Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Montenegro, Morocco, Nicaragua, Nigeria, Norway, Oman, Poland, Qatar, Romania, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, the Sudan, Sweden, Switzerland, Tunisia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Yemen and Palestine introduced a draft resolution entitled "Assistance to Palestine refugees" (A/C.4/66/L.9). Subsequently, Albania, Bosnia and Herzegovina, Iceland, the Netherlands, Portugal and Ukraine joined in sponsoring the draft resolution.

9. At the same meeting, the Committee adopted draft resolution A/C.4/66/L.9 by a recorded vote of 160 to 1, with 9 abstentions (see para. 16, draft resolution I). The voting was as follows:[1]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea,

[1] The delegations of the Comoros, the Niger and Nigeria subsequently indicated that they had intended to vote in favour.

Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Cameroon, Canada, Haiti, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America, Vanuatu.

B. Draft resolution A/C.4/66/L.10

10. At the 23rd meeting, on 10 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Persons displaced as a result of the June 1967 and subsequent hostilities" (A/C.4/66/L.10).

11. At the same meeting, the Committee adopted draft resolution A/C.4/66/L.10 by a recorded vote of 162 to 7, with 4 abstentions (see para. 16, draft resolution II). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan,

Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon, Haiti, Panama, Vanuatu.

C. Draft resolution A/C.4/66/L.11

12. At the 23rd meeting, on 10 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Lesotho, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/66/L.11). Subsequently, Nigeria joined in sponsoring the draft resolution.

13. At the same meeting, the Committee adopted draft resolution A/C.4/66/L.11 by a recorded vote of 163 to 7, with 2 abstentions (see para. 16, draft resolution III). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan,

Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon, Vanuatu.

D. Draft resolution A/C.4/66/L.12

14. At the 23rd meeting, on 10 November, the representative of Indonesia, on behalf of Algeria, Austria, Bahrain, Bangladesh, Belgium, Brunei Darussalam, Bulgaria, the Comoros, Cuba, Cyprus, the Czech Republic, the Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Montenegro, Morocco, Nicaragua, Norway, Oman, Poland, Qatar, Romania, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, the Sudan, Sweden, Tunisia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Palestine refugees' properties and their revenues" (A/C.4/66/L.12). Subsequently, Albania, Bosnia and Herzegovina, Croatia, Iceland, Nigeria, Portugal, Switzerland and Ukraine joined in sponsoring the draft resolution.

15. At the same meeting, the Committee adopted draft resolution A/C.4/66/L.12 by a recorded vote of 163 to 7, with 3 abstentions (see para. 16, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's

Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon, Haiti, Vanuatu.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 65/98 of 10 December 2010,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further the relevant resolutions of the Security Council,

Aware of the fact that, for more than six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for over sixty years since its establishment in ameliorating the plight of the Palestine refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2010,[1]

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

Expressing grave concern in particular at the critical humanitarian situation and socio-economic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

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[1] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13* (A/66/13); and ibid., *Supplement No. 13A* (A/66/13/Add.1).

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements[2] on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly on the efforts being exerted in this regard as appropriate, but no later than 1 September 2012;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the serious socio-economic and humanitarian situation and instability in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Commends* the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of the Agency in carrying out its mandate;

6. *Decides* to invite Luxembourg, in accordance with the criterion set forth in General Assembly decision 60/522 of 8 December 2005, to become a member of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

[2] A/48/486-S/26560, annex.

Draft resolution II
Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 65/99 of 10 December 2010,[1]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2010,[2]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Stresses* the necessity for an accelerated return of displaced persons, and calls for compliance with the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] on the return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-seventh session on the progress made with regard to the implementation of the present resolution.

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[1] A/66/222.

[2] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13* (A/66/13); and ibid., *Supplement No. 13A* (A/66/13/Add.1).

[3] A/48/486-S/26560, annex.

Draft resolution III
Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 65/100 of 10 December 2010,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2010,[1]

Taking note of the letter dated 22 June 2011 from the Chair of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to the Commissioner-General,[2]

Deeply concerned about the critical financial situation of the Agency, caused in part by the structural underfunding of the Agency, as well as its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions and the instability in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[4]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees in all fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Gravely concerned about the extremely difficult socio-economic conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures, the construction of settlements and the wall, and the severe economic and movement restrictions that in effect amount to a blockade, which have deepened unemployment and poverty rates among the refugees,

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[1] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13* (A/66/13); and ibid., *Supplement No. 13A* (A/66/13/Add.1).

[2] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13* (A/66/13), pp. vi and vii.

[3] Resolution 22 A (I).

[4] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[5] Ibid., vol. 75, No. 973.

Gravely concerned also about the continuing negative repercussions of the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread destruction and damage to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and internal displacement of civilians, including refugees,

Commending the extraordinary efforts by the Agency to provide emergency relief, medical, food, shelter and other humanitarian assistance to needy and displaced families in the Gaza Strip,

Recalling, in this regard, its resolution ES-10/18 of 16 January 2009 and Security Council resolution 1860 (2009) of 8 January 2009,

Expressing regret over the continued restrictions that impede the Agency's efforts to repair and rebuild thousands of damaged or destroyed refugee shelters, and calling upon Israel to ensure the unimpeded import of essential construction materials into the Gaza Strip, while taking note of recent developments regarding the situation of access there,

Expressing concern about the severe classroom shortage in the Gaza Strip and the consequent negative impact on the right to education of refugee children as a result of the constraints on the ability of the Agency to construct new schools due to Israel's ongoing restrictions impeding the entry of necessary construction materials into the Gaza Strip,

Stressing the urgent need for the advancement of reconstruction in the Gaza Strip, including through the completion of suspended projects managed by the Agency, and for the accelerated implementation of other urgent United Nations-led civilian reconstruction activities,

Urging the continuing disbursement of pledges made at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, to accelerate the reconstruction process,

Noting with appreciation the completion of the first phase of the project to rebuild the Nahr el-Bared refugee camp, commending the Government of Lebanon, donors, the Agency and other concerned parties for the important progress made and for the continuing efforts to assist affected and displaced refugees, and emphasizing the need for additional funding to complete the reconstruction of the camp and end the displacement of its twenty-seven thousand residents without delay,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Deploring the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency, including damage caused to the Agency's "Summer Games" recreational properties, during the reporting period,

Deploring also, in particular, the extensive damage and destruction of Agency facilities in the Gaza Strip caused during the military operations between December 2008 and January 2009, including schools where civilians were sheltered and the

Agency's main compound and warehouse, as reported in the summary by the Secretary-General of the report of the Board of Inquiry[6] and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,[7]

Deploring further, in this regard, the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploring the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Deploring also the killing and wounding of refugee children in the Agency schools by the Israeli occupying forces during the military operations between December 2008 and January 2009,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[8]

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions and unstable circumstances faced during the past year;

3. *Expresses special commendation* to the Agency for the essential role that it has played for over sixty years since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight;

4. *Expresses its appreciation* for the important support provided by the host Governments to the Agency in the discharge of its duties;

5. *Also expresses its appreciation* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

6. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in

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[6] See A/63/855-S/2009/250.

[7] A/HRC/12/48.

[8] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

the Near East[9] and the efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

7. *Commends* the Agency's six-year Medium-Term Strategy, which commenced in January 2010, and the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2012-2013;[10]

8. *Also commends* the Agency for sustaining its reform efforts, and urges it to continue to apply maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

9. *Takes note with appreciation* of the report of the Secretary-General on the strengthening of the management capacity of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[11] and further urges all Member States to carefully consider its proposal for support by the Secretary-General of the institutional strengthening of the Agency through the provision of financial resources from the regular budget of the United Nations;

10. *Endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Agency's fields of operation;

11. *Welcomes* the progress made thus far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for the expeditious completion of its reconstruction, for the continued provision of relief assistance to those displaced following its destruction in 2007 and for the alleviation of their ongoing suffering through the fulfilment of pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008;

12. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children, women and persons with disabilities in its operations in accordance with the Convention on the Rights of the Child,[12] the Convention on the Elimination of All Forms of Discrimination against Women,[13] and the Convention on the Rights of Persons with Disabilities,[14] respectively;

13. *Commends*, in this regard, the Agency's "Summer Games" initiative providing recreational, cultural and educational activities for children in the Gaza Strip and, recognizing its positive contribution, calls for full support of the initiative;

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[9] A/66/520.

[10] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13A* (A/66/13/Add.1).

[11] A/605/705.

[12] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[13] Ibid., vol. 1249, No. 20378.

[14] Ibid., vol. 2515, No. 44910.

14. *Expresses concern* about the relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

15. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[5]

16. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[3] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

17. *Urges* the Government of Israel to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of delays and restrictions on movement and access imposed by Israel;

18. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of taxes, extra fees and charges, which affect the Agency's operations detrimentally;

19. *Reiterates its call upon* Israel to fully lift the restrictions impeding the import of necessary construction materials and supplies for the reconstruction and repair of thousands of damaged or destroyed refugee shelters, and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip, while noting the commencement of several projects in this regard;

20. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

21. *Notes with appreciation* the progress made by the Agency in the modernization of its archives through the Palestine Refugee Records Project, including the completion of phase I, and encourages the Commissioner-General to finalize the remaining components of the Project as rapidly as possible and to report on the progress made to the General Assembly at its sixty-seventh session;

22. *Also notes with appreciation* the success of the Agency's microfinance programme, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

23. *Reiterates its appeals* to all States, the specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

24. *Urges* all States, the specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency in order to address the serious financial constraints and underfunding, especially with respect to the Agency's regular budget deficit, noting that financial shortfalls have been

exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

Draft resolution IV
Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 65/101 of 10 December 2010,[1] as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2010 to 31 August 2011,[2]

Recalling that the Universal Declaration of Human Rights[3] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[4] and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission, and stressing the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[5] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

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[1] A/66/318.

[2] A/66/296, annex.

[3] Resolution 217 A (III).

[4] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[5] A/48/486-S/26560, annex.

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution.